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ABSTRACT

This compilation of 27 abstracts of documents searched through the ERIC system, "Dissertation Abstracts" and the journal literature covers the ethics involved in student record keeping and privileged information, together with recent legal decisions affecting the counselor and the counseling relationship. For related documents see ED 061 563-ED 061 572, RIEAUG72 . (CG)

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Relevant Resources in High Interest Areas

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Confidentiality

Compiled by Mary Jane Kidder

October 1971

This search covers the ethics involved in student record keeping and privileged information, together with recent legal decisions in this area affecting the counselor.
(27 document abstracts retrieved)

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Introduction

This information packet is intended to alert the user to a body of literature on a topic of current interest to counselors. It identifies research reports that have been cited in the Educational Resources Information Center's (ERIC) publication, Research in Education (RIE) from January 1967 through June 1971, in Dissertation Abstracts International from January 1968 through June 1971, and in ERIC's Current Index to Journals in Education (CIJE) from January 1968 through June 1971.

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ED 031 998 HE 001 058

Boruch, Robert F.

Educational Research and the Confidentiality of Data.

American Council on Education, Washington, D.C. Office of Research.

Report No—ACE-RR-Vol-4-No-4-69

Pub Date 69

Note—53p.

Descriptors—Computer Storage Devices, *Confidential Records, *Data Analysis, Data Collection, Higher Education, *Information Systems, *Longitudinal Studies, *Research Problems, Student Records

Identifiers—*ACE Data Bank

The information system of the American Council on Education (ACE), which comprises the basis for the ACE Higher Education Data Bank, is designed to collect and maintain biographical and other data on approximately 300,000 college freshmen each year for continuing longitudinal research based on subsamples of the students. The need for confidential processing of these data has stimulated increasing concern among psychologists, sociologists, statisticians, administrators, and educational researchers. This study was implemented in order to set forth some limitations and problems involved with this kind of research. The report examines some specific aspects of the privacy issue with respect to ACE's information system, and the major differences and similarities between the ACE Data Bank and other data bank systems. A major emphasis is placed on evaluating devices that would help to preserve the confidentiality of data at each level of the system: data collection, transmission, and analysis dissemination. The report also discusses current administrative and ethical regulations, and computer devices that could protect researchers and the privacy of students in the event of possible harassment or liabilities caused by legal agencies. (WM)

ED 043 042 CG 005 802

Haney, Gerald And Others

Confidentiality and the School Counselor. Comments on Inspection of Public School Records and Counselor Privileged Communications.

Kansas State Dept. of Public Instruction, Topeka.

Pub Date [70]

Note—36p.; Paper presented at the American Personnel and Guidance Association Convention in New Orleans, Louisiana, March 22-26, 1970 and the Guidance and Pupil Personnel Services and Administrators, Emporia, Kansas

Descriptors—*Confidential Records, Counselor Functions, *Counselor Role, Ethical Values, *Ethics, *Information Utilization, Legal Problems, *Legal Responsibility, Standards

Confidentiality, long a concern, has become, with the increase in counseling and therefore personal data of even greater concern to counselors. Most of the time, counselors accept this responsibility without guide lines for release of information, either by the local district or by the state in which they work. Counselors are seeking assurances that they will not be sued because of the nature of their profession in handling records, information about students, and the release of this information. Action has been taken by some states, Michigan and Iowa on the release of this information. Privileged communication may not be what counselors need, since this protects the counselee not the counselor, and furthermore, information could not then be used to benefit the counselee. Each state should construct guide lines to give assistance in understanding and protection of the confidential information given to the schools and used by school personnel including counselors. The second article compiles some of the Kansas laws, legal opinions, and position papers that give insight into the problems and the position of the Kansas counselor as it relates to the problem of confidentiality. (SJ)

ED 027 579 CG 003 647

Statewide Conference on the Professional, Ethical, and Legal Responsibilities of School Guidance Counselors in Maintaining, Using, and Releasing Student Records. Conference Report.

Altoona Area School District, Pa.; Pennsylvania State Dept. of Public Instruction, Harrisburg. Bureau of Pupil Personnel Services.

Spons Agency—Office of Education (DHEW), Washington, D.C.

Pub Date Jun 68

Note—67p.; Conference report conducted by the Research and Guidance Services Staff of Altoona Area School District, Altoona, Pa., June 17 & 18, 1968.

Descriptors—Administrator Responsibility, Conference Reports, *Confidential Records, Counseling Effectiveness, *Counselor Role, *Ethical Values, Legal Problems, *Legal Responsibility, *School Responsibility, Student Records

A conference was held June 17-18, 1968, in Altoona, Pennsylvania, to discuss the professional, ethical, and legal ramifications of school counselor's keeping and using student records. Policy statements and guidelines for counselors are presented as a result of discussions following the presentation of three key papers, the texts of which are included. Harry J. Klein explores the professional responsibilities of the counselor in the expanding counseling program; Wilter M. Lifton presents a discussion of ethical standards and considerations to which the policy makers should attend; and John D. Killian discusses the legal rights and responsibilities of the counselor in his relationships to both clients and society. (BP)

ED 043 947 EA 003 052

Guidelines for the Collection, Maintenance & Dissemination of Pupil Records. Report of a Conference on the Ethical & Legal Aspects of School Record Keeping. (Sterling Forest, New York, May 25-28, 1969).

Russell Sage Foundation, New York, N.Y.

Pub Date 70

Note—45p.

Available from—Russell Sage Foundation, 230 Park Avenue, New York, N. Y. 10017 (Free)

Document Not Available from EDRS.

Descriptors—Case Studies, Confidential Records, *Data Collection, *Guidelines, *Information Dissemination, Information Storage, Security, *Student Records

Modern technology has given us the ability to record, store, retrieve, and disseminate large volumes of data. Though technically efficient, such a procedure can be misused and thus constitute an invasion of privacy. Most school systems maintain extensive student records, but few have systematic policies regarding dissemination of such information. At a conference sponsored by the Russell Sage Foundation, guidelines were developed for the collection, classification, and dissemination of data on students, with the data divided into three classifications: class A data--student academic records, attendance data, and standardized test scores--to be considered permanent; class B data--health information, aptitude and intelligence scores, family information, and interest inventory results--to be discarded at intervals; and class C data--legal or clinical findings and the unevaluated reports of teachers. Data from classes A and B may be released to other educational institutions when the need is legitimized, and released to others only upon permission of the student or a parent. Class C data should be destroyed when their usefulness is ended, and released only to those who have the power of subpoena. (RA)

Flanagan, John C.

Program for Learning in Accordance with Needs.

American Educational Research Association, Washington, D.C.

Pub Date Feb 68

Note—6p.; Paper presented at the American Educational Research Association Meetings, Chicago, Illinois, February 5-8, 1968

Descriptors—Educational Programs, *Instructional Design, *Instructional Innovation, *Learning, *Learning Processes, *Needs

The goals of Project PLAN (Program for Learning in Accordance with Needs) are: (1) to identify and define the needs of young people between the ages six and 18, and (2) to develop procedures to enable these people to acquire identified and defined knowledge, attitudes, skills and appreciations. Also included are the specific goals of the school district whose students are participating in the Project. The system established to achieve the defined goals contains the following components: (1) a comprehensive set of educational objectives, (2) a teaching-learning unit that acts as a guide for achieving these objectives, (3) a set of tests that indicates whether or not students mastered the objectives, (4) guidance and individual planning, and (5) evaluation using an IBM 360 MODEL 50 computer. Project PLAN demonstrates the possibilities of an individualized system of instruction established to limit obtaining and releasing information about students, (2) students should be involved in determining these procedures, and (3) a principle of selection should be used in obtaining and releasing information about beginning and graduated social work students. (LS)

Doctoral Dissertations

Campbell, Harold Gordon. ATTITUDES OF COLLEGE COUNSELORS AND ADMINISTRATORS CONCERNING CONFIDENTIAL INFORMATION. University of Arizona, 1970. Available from University Microfilms, 300 North Zeeb Road, Ann Arbor, Michigan 48106 (Order No. 70-22,008).

This was a study of the attitudes of college counselors and administrators concerning the release of confidential information. Through a review of the literature from 1959 through 1969 it was found that counselors and administrators at the secondary school level differed in attitude toward releasing or retaining confidential information. This study made an effort to answer the question as to whether or not there was agreement between the attitudes of counselors and administrators concerning the release of confidential information at the college level. A survey instrument consisting of twelve hypothetical counseling incidents was developed by the writer. The survey instrument was mailed to random samples of individuals who were included on a current American College Personnel Association (A.C.P.A.) mailing list (779), and to college administrators (276) selected from a national directory of institutions of high education in the United States. The returned responses were categorized into groups of general counselors in college (267), other A.C.P.A. respondents (225), student personnel administrators (122), and registrars (124). The samples were compared with respect to "confidentiality scores" through the use of Kolmogorov-Smirnov two-sample test. A split-half reliability coefficient of .93 indicated a high degree of internal consistency for the survey instrument. The findings of the study based on the attitude measured by the survey instrument, indicated that statistically significant differences in attitude existed between the sample of general counselors in college and two samples of college administrators. The counselors received higher "confidentiality scores" indicating an attitude of retaining more of the information supplied in the hypothetical incidents than was the case with the administrators. The two samples of administrator also evidenced statistically significant differences in attitude concerning the release of confidential information. The student personnel administrators received higher "confidentiality scores" indicating an attitude of retaining more of the information supplied in the hypothetical incidents than did the registrars. The general counselor in college sample did not differ significantly with the sample of other A.C.P.A. respondents concerning attitude twoard the release of confidential information. The findings from the sample of general counselors in college were generally confirmed by the findings from a sample of college counseling center counselors (96) obtained in the study. Based on the findings of this study it was recommended that studies be undertaken to determine the educational significance of the statistically significant differences found between the samples in this study. In addition, an investigation should be conducted in an effort to find whether a different set of counseling incidents, from the set of incidents used in this study, would yield the same findings. Studies should be

conducted using other professional organizations to which college counselors belong as a basis for selection of samples of college counselors. It was further recommended that studies be undertaken to determine the influence of different methods of counselor and administrator professional preparation in higher education on the attitudes concerning confidential information evidenced by the two groups.

Gunnings, Thomas Sylvester. THE EFFECT OF COMPUTERS ON THE LEGAL STATUS OF CONFIDENTIALITY AS RELATED TO PUBLIC SCHOOL COUNSELORS. Available from University Microfilms, 300 North Zeeb Road, Ann Arbor, Michigan 48106 (Order No. 70-9434).

Recognizing that the computer programming of confidential counseling information may affect the relationship between a counselor and counselee and may also have legal implications, this study was concerned with the effect of computers on the legal status of confidentiality as related to public school counselors. This study was aimed at pointing up the advantages, limitations and operation of computers, with understanding the effect of computers on the counselor-counselee relationship, and at taking a look at the legal implications that exist and give insight into the problems that could arise if the counselor computerizes confidential information. Since attitudes largely determine whether or not there will be legal problems, an attitudinal study was included in order to set a proper premise for interpretation of the legal data. The study was based upon data collected in a questionnaire survey and during a descriptive research of literature relating to state statutes, court cases and legal and professional opinions and studies. Forty-seven counselors, sixteen of whom counseled low socio-economic level students participated in the questionnaire survey along with two-hundred counselee subjects, fifty of whom were from low socio-economic level homes and one hundred and fifty who were from high socio-economic level homes. Related literature pointed out that the counselor is a professional and as such ascribes to professional and personal codes of ethics which respect the confidentiality of his relationship with his clients. Other related literature set the stage for the emergence of computers on the educational scene in general and in pupil data services in particular. With this emergence of computers legal implications that could occur and have occurred were examined in light of the effect of computers on confidentiality. Four hypotheses were projected and two questions were posed. The hypotheses dealt with, in order, the extent of the counselor's utilization of computers when he has no control over the availability of the computerized information, the effect of computers on the counselor-counselee raltionship when counseling information is computerized, the variance in attitudes toward computerizing counseling information between high and low socio-economic level counselees, and the variance in attitudes toward computerizing counseling information between counselors of high and low socio-economic level students. The questions proposed were concerned with the effect of computer-

izing confidential information on the counselee's right of privacy and with the protection of the privacy of the counselor-counselee relationship offered by state statutes. The counselors surveyed generally expressed skepticism about using computers and indicated that they would not fully utilize the computer if there existed the possibility of their counseling information being available to others. The data collected seemed to indicate that the counselors feel that certain information ought to be available to parents, teachers, other counselors, school administrators, employers and schools and colleges. However, they were specific as to the student personal data that they felt ought to be available to each. The students surveyed indicated that they thought certain information ought not be available to others without their permission and indicated that they would hold back on telling the counselor some things if the information would be accessible to others. Statistical analyses, significant at the .05 level failed to support the projected hypotheses dealing with the variance in attitudes toward computerizing counseling information between high and low socio-economic level counselees and between counselors of each group. The descriptive study supported the premise that computerizing confidential information does violate the counselee's right of privacy and that only four state statutes protect the confidentiality of the counselor-counselee relationship.

Humphreys, William Benjamin. CONSTRUCTION AND STANDARDIZATION OF TWO MEASURES OF CONFIDENTIALITY INVOLVING SCHOOL COUNSELORS. Indiana University, 1967. Available from University Microfilms, 300 North Zeeb Road, Ann Arbor, Michigan 48106 (Order No. 68-4730).

The purpose of the study was to construct and standardize an instrument to measure the school counselor's handling of confidential information. When the client presents confidential information to the counselor, the counselor is faced with two major areas of possible conflict that require decisions: (1) divided loyalties or conflicting responsibilities, in which the counselor feels obligated to protect both the individual client and the society, but finds it difficult to serve the best interests of both; and (2) the difficulty of determining whether to release or retain the information that has been revealed in private conference. Following the construction of the instrument, the standardization-data were obtained from 700 practicing school counselors,constituting a sample of members of the American School Counselor Association, and representing the 50 states and the District of Columbia. The first step in the construction of the instrument involved the formulation of questions, or test-items, which would, when administered and scored, indicate how school counselors reported that they dealt with confidential information. From an initial pool of 126 items developed by the investigator, the construction-stage proceeded through a number of phases in which raters evaluated the items in terms of the adequacy of content, selected the

items to be included in the final scale, and provided for scoring. The resulting instrument consisted of 36 multiple-choice items with 5 alternatives, and provided scoring-scales for the two aspects of confidentiality under investigation: society-individual, and release-not release. Provision for scoring was achieved by the anchoring and weighting of extreme positions and successsive intervals, both operations being carried out by the raters. During the construction-stage, establishment of validity was given consideration through the concern with representativeness of test-content,and reliability was estimated through the test-retest method. For standardization purposes, the instrument was administered to a 10 percent sample-survey of the Regular and Professional Members of the American School Counselor Association. From those 916 members, 700 usable returns were received. The standardization-data included the following: (1) a description of the sample-group, based on 14 personal and professional variables obtained from a Personal Data Sheet; (2) univariate, descriptive statistics for the two scale variables, society-individual, and release-not release; (3) estimates of split-half reliability; and (4) measures of construct-validity. A number of tentative conclusions were drawn, based on the procedures involved in the construction of the instrument and from the data obtained from the standardization-sample. It was concluded that the sample was representative in terms of both randomness and adequacy, assured by the size of the sample and the use of the sample-survey method. Further, as a result of the data obtained in the study, a partial description of the population of school counselors was possible. In addition, two scales were constructed, defined statistically, and standardized with specific reference to the sample group. It was concluded that construct-validity was established both rationally and empirically. Recommendations were made concerning the need for further standardization-procedures, for additional trait-exploration, further analysis of the data obtained from the sample of school counselors, comparisons of counselors with other groups of school personnel, and the use of the scales in counselor training.

Rudolph, James Thomas. SELECTED OPERATING PRINCIPLES FOR SECONDARY SCHOOL COUNSELORS IN THE RELEASE OF CONFIDENTIAL INFORMATION. Northwestern University, 1967. Available from University Microfilms, 300 North Zeeb Road, Ann Arbor, Michigan 48106 (Order No. 68-3215).

The present study was initiated to determine the measure of agreement among selected secondary school counselors, teachers, and administrators in the handling of confidential information. In determining this extent of agreement, this study attempted: (1) to ascertain the differential perceptions of how these groups felt selected student personnel information should be treated; and (2) to test the significance of the differences found among these groups. The specific hypothesis tested as part of this investigation was: There is no significant difference among the perceptions of selected counselors, teachers, and administrators as to whether selected student personnel information should be released to another educational institu-

tion, a governmental or legal agency, a prospective employer, or a parent upon his request. This study was conducted during the 1966-67 school year with staff members of the sixteen public secondary schools of DuPage County, Illinois. Data were gathered from a sample consisting of 89 counselors, 89 teachers, and 89 administrators. A questionnaire was developed as a means of identifying how these groups felt selected student personnel information should be treated. The personnel items included on the questionnaire were identified principally from the literature and examination of many cumulative record forms. Using the chi-square formula, the tabulated results were treated in four separate combinations for each of the personnel items. The responses of the participants were compared with respect to their willingness to release the personnel information to another educational institution, to a governmental or legal agency, to a prospective employer and to parents. On the basis of the data compiled in this study, the null hypothesis was rejected. It was concluded that there were significant differences among the perceptions of counselors, teachers and administrators as to whether selected student personnel information should be released to the above groups upon their request. Following are some of the conclusions which appeared to be warranted on the basis of the data gathered in this study. (1) Counselors tended to qualify their responses more frequently than other groups. They more often preferred that permission of the student be secured before release of personnel information and the proper interpretation accompany the information given. (2) Teachers were generally more willing to release student personnel information than were counselors or administrators. (3) When there was a significant difference among the opinions of the respondents with respect to the release of the personnel information, counselors and administrators tended to agree more closely than did counselors and teachers or teachers and administrators. (4) Respondents from all three groups were generally more willing to have student personnel information released to another educational institution than to any of the other agencies. (5) More hesitancy was expressed to the question of whether personnel information should be released to a prospective employer than to any of the other agencies. The following items are those which elicited significant differences of opinion among respondents: results of standardized mental ability tests, results of standardized achievement tests, disciplinary record, results of sociometric devices, student's autobiographical information, teacher recommendations for academic ability level placement, teacher anecdotal comments, teacher appraisals of personality characteristics, results of adjustment and personality inventories, results of staffings by student's teachers, counselor notes on interviews, results of reading specialist's report, results of speech correctionist's report, and results of psychologist's report.

Journal Articles

Anderson, Wayne, and Sherr, Steve. *Confidentiality Expectations of College Students: Revisited.* Journal of College Student Personnel, July 1969, 10(4), pp264-269.

The results of the study indicate that students do make enough discrimination about releasing information so that knowledge of student attitudes is potentially helpful to individual decision making by counselors and to the establishment of formal agency policies.

Arbuckle, Dugald S. *Counselors, Admissions Officers, and Information.* School Counselor, January 1969, 16(3), pp164-169.

The article examines issues of information given to counselors and the information they, in turn, make available to colleges. Confidentiality is discussed.

Chenault, Joann. *The Morality of Confidentiality Evaluations.* Journal of College Student Personnel, September 1969, 10(5), pp302-305.

Three criterion factors are offered as a method of testing the value of a tradition of confidentiality. These are: (a) the person making the remarks and his need for protection; (b) the person about whom the remarks are made and his need for protection; and (c) the effects of the remarks upon the destiny of another.

Clark, Charles M. *Confidentiality and the School Counselor.* Personnel and Guidance Journal, 1965, 43, pp482-484.

Several positions are presented regarding the confidentiality of information received by a school counselor in a counseling interview with a pupil who is a minor. The position that such information may enjoy only limited confidentiality is taken, either directly or indirectly, by 3 of the 4 positions presented. The thesis is developed that a satisfactory counseling relationship may be established with such clients under the condition of limited confidentiality of communication.

Cumbie, Calvin A.; and Others. *Student Records: Their Collection, Use and Protection.* Journal of the National Association of College Admissions Counselors, November 1970, 15(3), pp27-28.

The Commission on Student Records and Information was established on October 9, 1969, by the Council of Student Personnel Associations in Higher Education at its annual meeting in Chicago, Illinois. It was charged with recommending a Council position or course of action pertaining to the institutional responsibilities of collection, protection, and use of information concerning students.

Goslin, David A. *New School Record-Keeping Guidelines Protect Student/Parent Privacy*. Nations Schools, July 1970, 86(1), pp46-47.

Gunnings, Thomas S. *Counselors and Confidentiality*. School Counselor, January 1971, 18(3), pp153-156.

The one definite way to insure confidentiality is to insist that no information be passed on to anyone without the written permission from the student involved. The responsibility of any counselor should be only to his client. The counselor cannot act as an arm of the administration without sacrificing his effectiveness.

Killian, John D. *The Law, the Counselor, and Student Records*. Personnel and Guidance Journal, February 1970, 48(6), pp423-432.

Counselor's legal responsibilities in release of information about students involves matters of parental rights to information, defamation, libel and slander; and privileged communication. Counselor has little to fear provided he performs professionally and ethically.

Lacognata, A. A. *Student Privacy Erosion*. Improving College and University Teaching, 1970, 18(1), pp32-33.

Inclusion and processing of student data necessitates surrender of many individual privacy rights for and upon admission to college.

Litwack, Lawrence; and Others. *Testimonial Privileged Communication and the School Counselor*. School Counselor, November 1969, 17(2), pp108-111.

Briefly reviews literature and state laws regarding counselor legal status and client confidentiality. Expresses need for professional associations to assume leadership role in push for uniform legislation.

McClintock, David H. *New Directions in Handling Disciplinary Records*. Journal of the National Association of Women Deans and Counselors, 1969, 32(3), pp106-109.

Discussed are the areas of disagreement between the "Joint Statement on Rights and Freedoms of Students" and the committee report of 1953. The concept of disciplinary records has changed over the years and if the policies in any particular institution have remained unchanged for 15 years, the need to reexamine procedures is long overdue.

Marsh, John J., and Kinnick, Bernard C. *Let's Close the Confidentiality Gap.* Personnel and Guidance Journal, January 1970, 48(5), pp362-365.

An examination of the interface between the law of privileged communication and the professional standards of confidentiality reveals a gap between what the law is and what counseling and guidance personnel believe it is. The nature of the law is discussed, and evidence of disagreement with and misunderstanding of the law by counselors is presented.

Noland, Robert L. *Damaging Information and the College Application.* Personnel and Guidance Journal, March 1971, 49(7), pp544-554.

The attitudes of counselors and college deans were studied to determine how they use information about a nonacademic personality problem, or sexual or legal misbehavior in a college admissions procedure. The author raises questions regarding the rationale, ethics and legal basis of the behavior of counselors and admissions deans.

Nugent, Frank A. *Confidentiality in College Counseling Centers.* Personnel and Guidance Journal, May 1969, 47(9), pp872-877.

In a national survey of college counseling centers, 40 percent of the responding counseling center directors indicated that information about counselees was given out without the student's permission. Information was available to administrative heads for use in recommendations and disciplinary actions, 21 percent; deans of students, 10 percent; and faculty in general, 5 percent. This practice is in violation of the ethical codes of APGA, and APA, and it is recommended that the ethics committees of these organizations explore more fully the present practices on confidentiality in counseling centers.

Pardue, Jerry; and Others. *Limiting Confidential Information in Counseling.* Personnel and Guidance Journal, September 1970, 49(1), pp14-20.

With expressed needs for privileged communication in education continuing to manifest themselves through the consideration and passage of legislation, this article reconsiders prevailing legal and ethical limits to confidentiality, with particular reference to the APGA Ethical Standards of 1961.

Privacy and the Computer--An Issue Becomes a Crusade. Data Systems News, August-September 1970, 11(8-9), pp10-15.

A look at the "growing awareness that the right of individual privacy is fast disappearing from the American scene with the computer playing a prime, if not primary, role in hastening its disappearance."

Proposed Principles for the Management of School Records: Excerpts. Personnel and Guidance Journal, September 1970, 49(1), pp21-23.

Reprinted here, with permission of the Russell Sage Foundation, selected excerpts from Guidelines for the Collection, Maintenance, and Dissemination of Pupil Records, published in 1970. The document is the report of a work conference, convened by the Foundation in May 1969, whose participants included lawyers, a judge, a state senator, a philosopher, sociologists, educators and APGA members.

Rudolph, James T. *Questions Relating to the Release of Student Personnel Information.* The School Counselor, November 1968, 16(2), pp108-114.

The specific hypothesis tested as part of the present investigation was: There is no signficant difference among the perceptions of selected counselors, teachers and administrators as to whether selected student personnel information should be released to another educational institution, a governmental or legal agency, a prospective employer or a parent upon his request.

Warner, Albert P., and Evangelista, Sal. *Confidentiality: Statewide Michigan Study.* Junior College Journal, June-July 1970, 40(9), pp21-23.

Existing policies and procedures concerning access to student records were studied at 18 of the state's community colleges. Results indicate that most institutions were generally agreed about the type of material classified as confidential, personnel having access to it, and need for common policy or guidelines.

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	101 - 200	6.58
	201 - 300	9.87
	301 - 400	13.16
	401 - 500	16.45
Each Additional 1-100 page Increment		3.29

TERMS AND CONDITIONS

1. TERM OF CONTRACT

This order is not subject to cancellation.

2. PRICE CHANGES

Leasco Information Products Inc. (LIPCO) may at any time increase the price of any item by giving the customer thirty (30) days notice that there will be an increase. LIPCO will notify Customer of the amount of the increase not less than ten (10) days prior to the effective date. If the increase is not acceptable, Customer must terminate the affected portion of this Agreement notifying LIPCO prior to the effective date of the increase. If Customer does not so notify LIPCO the increase shall be deemed accepted and shall govern all shipments from the effective date.

3. SUBSCRIPTION PRICE AND PAYMENT

The Subscription Price paid by the standing order and special collection customers is based upon an estimate of the number of microfiche to be delivered to the Customer and the shipping cost. The Subscription Price shall be applied as a credit against the Actual Price of the microfiche. The Actual Price of the microfiche provided by LIPCO shall be determined by multiplying the actual number of microfiche delivered to the Customer by the applicable price listed in the Schedule of Prices. The Prices listed in the Schedule of Prices do not include any sales, use, excise or similar taxes which may apply to the sale of the microfiche to the Customer. The cost of such taxes, if any, shall be borne by the Customer and will be billed separately by LIPCO.

Statements will be provided periodically to inform the Customer of the number of microfiche shipped and the remaining dollar balance of the subscription.

Payment terms shall be net thirty (30) days from date of invoice. Payment shall be without expense to LIPCO.

4. PROPRIETARY INFORMATION

All materials supplied hereunder are proprietary and may not be reproduced for resale without the prior written consent of LIPCO.

5. CONTINGENCIES

LIPCO shall not be liable to Customer or any other person for any failure or delay in the performance of any obligation if such failure or delay, (a) is due to events beyond the control of LIPCO including, but not limited to, fire, storm, flood, earthquake, explosion, accident, acts of the public enemy, strikes, lockouts, labor disputes, labor shortage, work stoppages, transportation embargoes or delays, failure or shortage of materials, supplies or machinery, acts of God, or acts or regulations or priorities of the federal, state, or local governments, (b) is due to failures of performance of subcontractors beyond LIPCO's control and without negligence on the part of LIPCO, or (c) is due to erroneous or incomplete information furnished by Customer.

6. EXTENSION

The subscription packages ordered by the standing order and special collection customers shall be automatically extended at the expiration of the current designated year for successive one-year periods unless the customer shall notify LIPCO to the contrary at least 30 days prior to the commencement of each additional year.

7. LIABILITY

LIPCO's liability, if any, arising hereunder shall not exceed restitution of charges.

In no event shall LIPCO be liable for special, consequential, or liquidated damages arising from the provision of services hereunder.

8. WARRANTY

LIPCO MAKES NO WARRANTY, EXPRESS OR IMPLIED, AS TO ANY MATTER WHATSOEVER, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE.

9. CHANGES

No waiver, alteration, or modification of any of the provisions hereof shall be binding unless in writing and signed by an officer of LIPCO.

10. DEFAULT AND WAIVER

A. If Customer fails with respect to this or any other agreement with LIPCO to pay any invoice when due or to accept any shipment as scheduled, LIPCO may without prejudice to other remedies defer further shipments until the default is corrected or terminate this Agreement.

B. No course of conduct nor any delay of LIPCO in exercising any right hereunder shall waive any rights of LIPCO or modify this Agreement.

11. GOVERNING LAW

This Agreement shall be construed to be between merchants. Any question concerning its validity, construction, or performance shall be governed by the laws of the State of New York.